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PATENT TRADEMARK OFFICE

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S. Ellis
12/12/03Attorney Docket No. 663/35631
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Adcock et al.

Serial No.: 09/254,148 Art Unit: 3624

Filed: June 11, 1999 Examiner: Akers, Geoffrey R.

For: AUTOMATIC ELECTRONIC FUNDS TRANSFER SYSTEM AND
METHODRECEIVED
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REQUEST FOR RECONSIDERATION AFTER FINAL

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Commissioner for Patents
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Sir:

In response to the final Office Action dated October 14, 2003, Applicant contacted the Examiner and conducted a telephone interview on November 4, 2003. In the telephone interview, Applicant reasserted the arguments set forth in the Amendment filed on June 19, 2003 (Paper 13), with respect to the 35 U.S.C. § 103 rejection over Rose et al. (US 5,757,917) in view of Gifford (US 5,724,424) and Melen et al. (US 5,956,391). The final rejection repeats that rejection and adds a fourth reference, US 5,168,446 to Wiseman. At the conclusion of the interview, the Examiner agreed that the art of record does not teach the limitations of Claims 1-56. This was the same determination made at the interview of January 27, 2003 (Paper 10). The Examiner also indicated that he would withdraw the final rejection, update the search and either allow the case or issue a new final rejection. Since then, Applicant has called the Examiner on November 19, 2003 and November 21, 2003. Finally, on December 9, 2003, the Examiner indicated that he would not be able to act on the case until after January 1, 2004. He recommended that Applicant file this response, which also acts as an interview summary. Applicant has never received an interview summary from the Examiner.

The U.S. Patent & Trademark Office's delay in prosecuting the present application is detrimental to the interests of the Applicant. Thus, expeditious prosecution of this case is hereby requested.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 02-1010 (663/35631).

Respectfully submitted,

BARNES & THORNBURG

Perry Palan
Reg. No. 26,213
(202) 289-1313